



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

H.B. NO. 6408: AN ACT CONCERNING THE POSSESSION OF ALCOHOLIC LIQUOR BY MINORS

JOINT COMMITTEE ON GENERAL LAW
February 26, 2013

The Division of Criminal Justice respectfully recommends the Committee's **JOINT FAVORABLE REPORT** for **H.B. No. 6408, An Act Concerning the Possession of Alcoholic Liquor by Minors**. This bill is strictly technical. It simply restores language to Section 30-89a of the General Statutes that was erroneously deleted in the drafting of Public Act 12-199, An Act Prohibiting Certain Persons from Allowing Minors to Possess Alcoholic Liquor in Dwelling Units and on Private Property.

The problem is best illustrated by dissecting the two subdivisions of subsection (a) of Section 1 of P.A. 12-199. In doing so, 30-89a (a) (1) would read as follows:

No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly, recklessly, or with criminal negligence, permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property[.]

Now, if you take 30-89a (a) (2) and combine it with the relevant introductory language carried over from subsection (a), (a) (2) reads as follows:

No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall ... fail to make reasonable efforts to halt such possession.

Reading section 39-89a (a) (2) on its own, as it must be read to be applied, simply makes no sense and obviously cannot be applied as was intended with the passage of P.A. 12-199. H.B. No. 6408 restores the deleted wording so that Section 39-89a (a) (2) would read as follows:

No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall ... knowing that any minor possesses alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling

unit or on such private property, fail to make reasonable efforts to halt such possession.

This is what was intended with the passage of P.A. 12-199 – to strengthen the state's "social host" law and give the authorities another tool to combat underage drinking. H.B. No. 6408 reaffirms the intention of P.A. 12-199 by correcting what was obviously an error in the drafting of the act. We would respectfully urge the Committee's JOINT FAVORABLE REPORT.

In conclusion, the Division of Criminal Justice expresses its appreciation to the Committee for its consideration of this legislation. We would be happy to provide any additional information you might require or answer any questions you might have. Thank you.